

By Mr. SULZER: Petitions of E. M. Schwarz & Co. and José Lovera Co., cigar makers of New York City, protesting against House bill 13988; to the Committee on the Census.

Also, petition of State of Colorado Civil Service Commission, Denver, Colo., favoring passage of House bill 20044, for the improvement of foreign service; to the Committee on Foreign Affairs.

Also, petition of Mendelsohn, Bornemann & Co., of New York, favoring passage of House bill 22766, for prohibiting use of trading coupons; to the Committee on Ways and Means.

By Mr. TILSON: Petition of the Waterbury Business Men's Association, for a rate on letter postage of 1 cent per ounce; to the Committee on the Post Office and Post Roads.

By Mr. TOWNER: Petition of the First Church of Christ of Shenandoah, Page County, Iowa, favoring passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. YOUNG of Texas: Petition of George Venner and other citizens of Forney, Tex., against any kind of antiopium bill pertaining to dealing in farm products; to the Committee on Agriculture.

HOUSE OF REPRESENTATIVES.

SUNDAY, April 21, 1912.

The House met at 12 o'clock noon, and was called to order by Mr. NEELEY, as Speaker pro tempore.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou God and Father of us all, in whose changeless, boundless love we have our being, hold us close to Thee that we may feel the warm life-giving currents ever flowing out from Thee, that our faith, hope, and love may be strengthened.

We bless Thy holy name for the words which fell from the lips of the Master: "Let not your heart be troubled; ye believe in God, believe also in me. In my Father's house are many mansions; if it were not so, I would have told you."

The sands of life run swiftly; we know not when the silver cord shall be loosed, the golden bowl broken. But so long as faith, hope, and love live, so long the immortality of the soul is assured.

I know not where His islands lift
Their fronded palms in air;
I only know I can not drift
Beyond His love and care.

In this love our souls speed onward to the "Land of the Leal," where we shall dwell with our loved ones forever. Be this our comfort, the hope and comfort of the bereaved wife and children of the deceased Member in whose memory we are assembled, and psalms of praise we will ever give to Thee through Him who died that we might live. Amen.

The SPEAKER pro tempore. The Clerk will read the Journal of the proceedings of yesterday.

Mr. CAMPBELL. Mr. Speaker, I ask unanimous consent that the further reading of the Journal be dispensed with.

The SPEAKER pro tempore. Without objection, the Journal will stand approved.

There was no objection.

THE LATE REPRESENTATIVE MITCHELL.

Mr. CAMPBELL. Mr. Speaker, I offer the resolution which I send to the Clerk's desk and move its adoption.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 503.

Resolved, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. ALEXANDER C. MITCHELL, late a Member of the House from the State of Kansas.

Resolved, That as a particular mark of respect to the memory of the deceased and in recognition of his distinguished public career the House, at the conclusion of these exercises, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

The resolution was unanimously agreed to.

Mr. CAMPBELL. Mr. Speaker, if any other evidences were wanting to show the tragedies there are in life, that evidence could be supplied in the oft repeated meetings of this House to honor the memory of departed Members. Yesterday a Member was in his seat; to-day his desk is covered with a wreath of flowers; to-morrow his seat will be occupied by another. And in the rapid succession of these events ambition is gratified, hope is deferred, and men are forgotten. ALEXANDER

CLARK MITCHELL, in whose memory we are met to-day, was a poor boy. He was one of a family that earned their bread according to the decree entered in the Garden. He knew none of the luxuries of life in his earlier days. His was a life of constant labor, mingled with anxiety as to the future, but always filled with ambition and hope. He was not content to remain a metal worker. After he had reached mature manhood he acquired that education that fitted him for the law and for a useful public career. MITCHELL was a good lawyer. He prepared his cases carefully and tried them exceptionally well. He entered public life as a student of men and events. He served four terms in the Legislature of the State of Kansas and rapidly rose to leadership in that body, a leadership that naturally suggested him for a higher and more useful position. He had an ambition for a seat in this House. Men of ability, of leadership in their community and of ambition, somehow look to the National House of Representatives as a place in which to take a part in their country's work. I violate no confidence when I say that ALEX. MITCHELL had an ambition for many years to occupy a seat in this House and to become one of the leading Representatives in this great body. He was destined to serve here but a few days. That life that he had so trained and directed for usefulness, that ambition that he had at last seen gratified, was to be of but few days' service here.

I think he cast but one vote on an important measure in the House. He appeared upon the floor but a few times. Then he yielded to an illness that had seized him during his campaign for election. That illness grew upon him until finally, on the 7th day of July last, he yielded up the last there was of his life. There was something more than ordinary in his death. He died a death similar to those that we read of in the years that are gone. I can remember as a child that the first question asked of one who died was whether or not he died in the faith, whether he died in the hope of immortality and of heaven. It was rare in my early days that one ever heard the query asked as to how much life insurance a man had or how much property he left. Those were questions that were of minor importance. The question of supreme importance in the hour of a man's death was whether or not he had died fit for the Master's kingdom. During the lingering months of ALEXANDER MITCHELL'S illness he meditated much on the hour that was fast approaching when he should bid farewell to everything that was dear in life—family, ambition, place, and all. When the final hour came, MITCHELL called his friends about him and took them by the hand and talked to them of his hope of immortality. He talked to them in the old way in which those who departed this life in the hope of blessed immortality used to talk to their friends. And one after another his friends gathered about him and he took his last words to bid them lead upright, Christian lives and fit themselves for the hour that he was so nearly approaching. He took his farewell of his children and finally of his wife. Death to him was the portal to everlasting life. In his death the community in which he lived had a new baptism in the faith of the fathers. The entire community in which he lived felt a revival of the old-time religious sentiment that taught people to live well that they might die prepared for heaven.

MITCHELL performed well his part in life. It comes to but few men to acquire the distinction that he acquired; and but few men have left the community in which they lived with a more profound esteem of their fellow men than did ALEXANDER C. MITCHELL.

Mr. SLOAN. Mr. Speaker, a Member from Kansas suggested the propriety of a brief tribute from me as a neighbor. Kansas and Nebraska, with contiguous territory, a common history, similar resources, like industries, having much in common politically, their Representatives well may deem themselves neighbors.

As a neighbor, I remember ALEXANDER C. MITCHELL but a few days in the House. We took our seats together. Individual design made us neighbors in the great West. A common ambition brought us here. Chance made us neighbors in the House.

Upon similar solemn occasions Members recite the achievements and extol the ability and character of the deceased. I can not speak of his congressional achievements, because in the morning of his career death claimed him. Against that claim how powerless are friendship, wealth, and position. Obedience must be prompt and implicit. In this it matters not whether the call comes when he is on his couch at home and among friends or out upon the trackless ocean where the high product of naval genius clashes with a harsh fact of nature in the form of a deadly iceberg. His work will be left unfinished and his brethren mourn.

Years ago I read—let me confess with some effort—some of the essays of Emerson. One, in its choice expression, practical philosophy, and subtle human touch, impressed me more perhaps than all the other writings of the transcendental sage. That was "Compensation." The nice balancing of the phenomena of nature and human experiences, charmingly told, furnishes a source to which many could turn for solace and comfort.

If our deceased brother was denied a long and honorable career, which his years seemed to warrant and his own ability fit him, there are still compensations for his untimely taking off. He came to this House with the high ideals of a new Member. His ideals of the individual and collective membership have suffered no rude shock. An exalted estimate of legislation proposed received no rude awakening, to be followed by a downward revision. Men and measures probably both appeared in the glamour of ideality. The belief that there was little for the party but all to be for the State received no harsh contradiction.

If there was aught in store for disillusion; if selfishness was to appear when altruism was expected; if the demands of the country were to be subordinated to the claims of party; if the great names on the rolls of the House, giants of State, were to be proved as standing on feet of clay, and if in the grind of caucus and committee the idealistic surface should give way to the "seamy side"; if practical legislation was to receive the impress of the force, will, and influence of selfish interests or selfish men, then these disillusion were not for him.

Nor was he, after years of faithful devotion to his district and Nation, in the fullness of years and the ripeness of experience, for some real or fancied error in judgment, denied a new vote of confidence by the people for whom he labored.

That he was selected from a great district, having many great men, to sit in this historic Hall and mingle with the mighty; that his ability warranted, his achievements deserved, and character justified this distinction are proud facts bequeathed by him to his family and posterity. Had his life been spared for the usual span his services in this body would have marked him for its honors and distinctions is the belief of his friends and the conviction of impartial acquaintances. This is a rich heritage in this country, where excellence and character are the unfailing insignia of rank and worth.

Mr. YOUNG of Kansas. Mr. Speaker, we assemble to-day on a sad and extraordinary occasion. On last Lord's day we met in this Chamber and lifted up our feeble voices in paying a tribute to the memory of a noble son of Kansas, our colleague; we are here again to-day to say the farewell words as best we may to the earthly career of another of her honored sons—our colleague—ALEXANDER C. MITCHELL, and strive to cherish his memory in the years to come.

O, not in cruelty, not in wrath,
The reaper came that day;
'Twas an angel visited the green earth
And took the flowers away.

Let us not be unmindful that while we are mourning our loss, that at this very hour there are being spoken, from almost every pulpit in the land, words of grief for the victims of the greatest disaster of the century.

We are here still, but forcibly feel the transitory nature of human life. We are shadows pursuing one another, and soon there is an end.

Be ye ready; the summons cometh quickly.

ALEXANDER C. MITCHELL had but a brief service in this House, yet on other fields of usefulness he served long and well, ever active, clean, true, and honored wherever known. He at all times had the courage of his convictions, which was so well illustrated during his illness in this city, when, against the advice of his physician, he insisted on being brought to this Chamber, where he cast his first vote on a measure he regarded as vital to the best interest of the country, and which proved to be his last in this Chamber.

As a lawyer he was ever strong and trustworthy. As a member of another legislative body, where I knew him best, he stood in the forefront advocating measures for the betterment of society. As a citizen he did much for his city, State, and country, and seemed ever to realize that in life's voyage life's struggles are all failures if they do not from day to day produce something done, something said, that makes the lives of others better, sweeter, and nobler.

Who God doth late and early pray,
More of His grace than fights to lend,
And walks with man from day to day
As with a brother and a friend.

ALEXANDER C. MITCHELL's Christian life was so earnest, strong, and steadfast that when the inevitable messenger with

the inverted torch beckoned him to depart, he obeyed the summons and approached the journey.

Sustained and soothed
By an unfaltering trust,

founded upon an unwavering faith in Him, who said "I will never leave thee nor forsake thee," and went down through the valley of the shadow of death over into the realm where "Nearer, My God, to Thee" is no longer a song, but is an everlasting reality.

Mr. MURDOCK. Within my memory I have record of no one who surpassed in earnest desire to be of service in this world the late ALEXANDER C. MITCHELL.

As I look back to-day upon his brief career in Congress, the thought of him which rises singly and persists with emphasis, above all others in connection with my knowledge of him, is that of his pathetically determined devotion to duty.

Six months before he came here as a Member of Congress he was the embodiment of vitality, vigor, health; the splendors of sturdiness, breadth of shoulder, strength of limb, clearness of eye, certainty of movement with all the marvels of physical confidence, the confidence that paints the cheek of youth with the flush of daring, these were his at fifty as they had been at sixteen.

And then came dissolution—certain, unmistakable, swift—remorselessly swift. I saw the man who had been physically perfect in the fall of 1910, the man who had been iron under the stress of a long campaign, bend beneath disease. I saw him creep into this Chamber, sick, worn with pain, pallid under the pitiless levy upon his vitality. I saw him grope with shaking white hands among the red desks here, sink into his seat, and await the roll call, and, with a momentary alertness, cast his vote, with that which seemed unmistakable interest, then lapse back again into his lonely, weary, hopeless battle.

And yet I have thought often, it was not interest that brought him here. He was too ill for that. He came at the call of duty. This was paramount with him—to render a full measure of service. Many another, close to the grave as he, the issue of a campaign flaring its legislative hour here, the hue and cry of faction, the noisy joust of partisans would have summoned in vain.

There was a strong, firm foundation, deeply laid, for this characteristic in our friend. Nature gave him in equal proportions the qualities of kindness and earnestness. It was never in him to be unkind, and he could not be purposeless. He could be candid without being cruel, and he could be uncompromising without being intolerant. I believe it was possible for ALEXANDER MITCHELL to win a victory without a sense of triumph to a greater degree than any man I have ever known in political life. If he were ambitious, and I doubt that he ever was, he wore but little of ambition's livery. Of plot and dubious plan, of sleight and equivocation, he had but little knowledge, and he made no use.

But he stood ready to obey the command of the day's work, and through his life the call was incessant. He was out of the university in 1889. After that he served as county attorney at Lawrence, Kans.; many years as a regent of the Kansas University; many years, also, as a member of the legislature. Eventually he was elected to Congress.

He came here in the short session of the Sixty-first Congress, the session which followed the election of 1910. He was intensely interested in the vast administrative forces of the Government as they are found in Washington.

As a young man his activities had revealed to him the governmental processes as they exist in county seats. Later he had opportunity to know thoroughly the larger mechanism of the State, and the tremendous machinery of the National Government fascinated him, as it must fascinate most men when they approach it closely to study it. The magnitude of the great departments of this Government, their seemingly endless divisions and subdivisions, the inertia of precedent, which sometimes makes them appear helpless in a leash of tape—the mightiness often of rule and regulation and frequent futility of law—the complexities of expenditure and collection, the adjustment, renewal, and evolution of Congress and court, of Navy, Army, Post Office—these instruments of the democracy at once invite the student and resist him; by their very intricacy they beckon him to investigation and understanding and defy him.

This challenge the late ALEX. MITCHELL accepted with spirit. Industrious, discriminating, thorough, executive, he set about the business of his new life. The old Congress which he visited in its closing session passed away. The new Congress convened in extraordinary session. Mr. MITCHELL came with the others. It was evident to all from the first that he was ill. During the spring he attended the more important sessions. One day he

went back to Kansas, and in midsummer, before the close of the special session, he died.

Somewhere I have read or heard—I do not know if it be true—that when Horace Greeley was dying he murmured to those about him, "Fame is a vapor, popularity an accident; riches take wings; those who bless to-day will curse to-morrow. Only one thing endures—character."

This must be the thought, in part at least, of everyone who knows that death is upon him. When the stage is set for the last scene this thought must for an instant stand before a man stark, detached, solitary, dominant. When the tinsel vanities are shoved back and away, when the glittering aspirations of a lifetime flicker and go out, when those things which long we thought were substance are fading into shadows, then through the gray light which I fancy falls upon the world as the dying see it, that in a man which is the product of conscience—character—must glow deep, vital, eternal, out of the drab midst of things.

ALEX. MITCHELL knew the moment of his dissolution. Of that moment's alternatives—hope and despair—he chose hope. To those who loved him, at his bedside, he spoke of death calmly, with a sweet certainty of the future. There came to him, as there came to William McKinley, the soothing echo of an old-time hymn, the mighty comfort of a line from the Sermon on the Mount. And as he passed on he went as gently as he had lived, mighty in his faith—that death is not—that life is, primal, absolute, eternal.

MR. REES. Mr. Speaker, ALEXANDER CLARK MITCHELL was not a Member of this House long enough to become familiar to the majority of the body, but he inspired a sincere respect in all who met with him. The fatal malady, from which he died, fastened itself upon him during his campaign, but he did not realize that there was anything seriously the matter with him until after he had been elected. He came on to Washington and took up his duties here, but the marks of patient suffering were already upon his strong, kind face. He came to the House daily for a short time during the extra session, but was soon confined to his room, and his last appearance in the House was when he came over to vote for reciprocity. He smiled upon his friends when he entered the room, but as soon as his features were at rest, while he was listening to the discussion, we could see all too plainly the shadow of his approaching end.

His life will not be measured by his achievements here, but by his record at Lawrence, Kans., where he came with his father early in life and commenced his struggle as a blacksmith. And it was in this sturdy calling, perhaps, while yet in his youth, that his strong character was formed. At this toilsome occupation he earned enough to carry him through the law department of the university. He afterwards opened an office in Lawrence, in competition with some of the ablest lawyers of this country, and soon succeeded in sufficiently impressing himself upon the favorable consideration of this scholarly community to be elected county attorney. He afterwards served for six years in the Kansas Legislature, and was for four years a regent of the State University, and was finally elected a Member of this body. He was an able lawyer, and, had he lived, he would have made his mark in Congress.

He was a strong, clean, manly man. If you still retain the little booklet containing the pictures of those who served in the first session of the Sixty-second Congress, turn to his picture and note the strong, clear-cut features. It is a splendid likeness of one who was in every way a splendid man. He was sincere, honest, and loyal, as well as a fearless advocate of every cause he believed was right.

It can be truly said of him that he did not seek distinction and political preferment for ambition's sake, but in the hope that he might serve the people and the country he loved. He was a good lawyer, and had a good practice; but never became rich or even well to do, because he gave too generously of his time and service to the poor.

ALEXANDER MITCHELL was devoted to his wife and children, and they repaid him with an affection and tender solicitude for his welfare that assuaged the anguish of our departed colleague during the long days and nights of his silent, patient suffering, until at last the Angel of Death in pity released his soul from his weary pain-racked body.

Life itself is an impenetrable mystery, and before death we bow our heads in silent awe. Its unsounded depths we know not. We cry out for a light that will satisfy our reason and our judgment, but it comes not; yet somehow there steals into our inner consciousness an intuitive feeling that all is well. The calm beauty of the dead, the benediction of tears, the feeling that takes possession of us that there is something sacred in the presence of death itself, as though we knew through some unconscious process of the mind that a divine visitant had

touched the dying eyes—these and other intangible things calm our spirits as the cooing half-audible words of a young mother that can not be understood soothes and lulls to sleep the newborn babe.

To ALEXANDER MITCHELL, however, there was a surer guide. He grounded his unwavering faith upon the old Bible, that has, in all the generations since the Gospels were written, helped to sustain men in their darker hours. Let us believe that what we poor mortals lament as the death—the last sad end of him we loved—was but the dawning of the eternal morning for ALEXANDER MITCHELL.

MR. LOBECK. Mr. Speaker, we meet to-day to pay our tribute to ALEXANDER CLARK MITCHELL.

My acquaintance with him was but slight. Like myself, he was just entering upon the duties of a Congressman, so that I had only seen him occasionally, but I knew of the high esteem that he was held in by those who knew him well.

On account of his malady he was unable to be present at the daily sessions as often as he would have liked to, but when it was necessary for him to perform some public duty he came and bore his pain and sufferings quietly and made no complaint, and his voice was heard for what he believed was right.

I was one of the Congressmen, Mr. Speaker, designated to go to his home and attend the funeral, and there I learned of the love and respect given him by his fellow neighbors. I also learned of the high esteem in which he was held by his townsmen, and to me no higher tribute of esteem can be paid than to know that all his neighbors loved him. The great men of the State were there to pay their respect, and beside them stood the humblest citizen to pay his last tribute to his beloved friend who had gone to the great beyond. I learned from his neighbors about his character. He was a strong man, a loving man, a man who walked erect among his fellow men and was counted a manly man. It seems strange that Providence should take away from the activities of life this man of strong character that was able to do so much good, be of so much service, and do so much kindness to his fellow man. We do not understand it, but God in his mysterious way knows what is best. We love to think of strong men of noble character, whether they are in the humble pursuits of life or if they attain eminence. We judge a man by what he does, and Congressman MITCHELL was a man upright in his actions and always ready to help mankind.

I saw the love in the home; I saw the gentle wife, the loving daughter, and the son. By the surroundings I knew that it had been a happy home and one that all might love to enter, and my sympathy went out to that wife, to that son and daughter who had lost a loving husband and a respected father.

The loving tribute by his pastor, the crowded edifice where the neighbors and friends came to pay their last respects, the hundreds that stood outside showed to me the love and respect in which he was held.

We laid him away under the big trees in a beautiful cemetery near the city in which he had given a long life of usefulness to his neighbors and to his State.

I am conscious, Mr. Speaker, of having done scant justice to the many excellent traits of character of our departed friend and colleague. Whatever is spoken here is but the gratification we have in paying tribute to our departed brother. His life was his most eloquent eulogy, and to us it is only left to regret that he should have been cut off in the very prime of life, when he could have been of great service to his State, his country, and his fellow men.

MR. JACKSON. Mr. Speaker, some one has said, "When, after a long acquaintance, you feel that the more you know of a man the better you like him, you may safely call that man a loyal and worthy friend." Measured by this rule, ALEXANDER C. MITCHELL was called friend by more intimate associates than any man who has lived in Kansas. His strongest personal characteristic was the light that shone from his strong face and honest eyes, attracting with its invitation of honesty and helpfulness; and never disappointing the faith imposed in him.

His death, in the midst of achievement of a well-trained, fruitful middle age, was by him bravely and calmly met. To these numerous intimate friends, and the citizens of a great State, who have come to know his value as a public servant, his death was a tragedy.

And no one who knew him doubts that had he been spared, to have served here even a few months, his associates here and the people of our great Nation would have said, "Knowing him better, we see his great worth."

And this, indeed, was the tragedy, that he who could have helped us so much; he, whose strong hand had been so faithfully trained to work for the people he loved, just as it was

about to reap the fruitage of a strenuous life of toil, should be stricken at his post of duty. So far as man is concerned, there is naught to reason why? There is but one answer, and that is, "It was God's will."

As was so eloquently said of him by his pastor in the beautiful funeral oration, "Mr. MITCHELL was a toiler." His fellow man will never know, his country can never know, what it cost him, from youth to middle age, to answer "Here" at the call of duty in the Nation's great Congress a few weeks before his untimely death.

It is a long road from the machinist's bench in Cincinnati, Ohio, by way of a turning lathe in Kansas, finally a legal education in the university and a drudging lawyer's office, and public service to a seat in the National Congress—all marked by honest, strenuous toil that left its furrows in the strong lines of his kindly face.

Modern history, tradition, and song and story is full of incidents of the great achievements of a Lincoln educated by the light of pine knots, and a Garfield toiling on a towpath, to higher mental attainments. But in the modern times, when the pine knots have disappeared from our civilization and the laborer of the towpath and the "man with the hoe" have almost been erased from our American industrial life, and their places taken by the skilled mechanic of greater power and wider experience, are there not among these, surrounded by endowed colleges, great universities, and well-filled libraries, Lincolns and Garfields with little assistance from any of these great institutions, courageously earning their daily bread by honest toil and slowly mounting the steep of higher training, to the end that they may serve their fellow men?

Shall they deserve less credit because their pine knots, lighted by their own hands, are brighter than those of another age, and their towpaths of service broader and longer?

So, too, the circles of their lives must be broader and achievements stronger than when men and our national life existed in the pine knot and the towpath age. And this man of toil, our friend, prepared himself for his work by close touch with the real things of modern life for the great opportunities it affords for real, unselfish service.

"He was a workman who needed not to be ashamed." As in earlier life he wrought with his hands things worth while, he saw in life things worth while and attained them for others and for himself.

Thomas Carlyle's father was a stonemason, and the son was always proud of the father's bridges. They stood the test of time and strain.

So the children and dear ones of our departed friend shall find in his work in every place the bridges that span great deeds and that endure the test of time.

It is no small tribute to the earnestness, industry, and power of achievement of a man of the culture and power of intellect of Representative MITCHELL to be able to say that at one time in his life with his own hands he toiled in the greatest machine shops of the West, or that his hands held the instruments which put the last fine touch on the strongly formed and highly polished machinery that brought service and safety and happiness to the members of the human family. And yet this same brain and these same strong hands a short time later framed legal briefs that settled the interests of the same great company in whose mills he worked, in the courts, guided the destiny of this State and held the attention of this Nation.

Mr. MITCHELL was really a great lawyer. As nearly as any man I ever knew he carried out the lesson of Lincoln's advice to the young man—

If you can't be a good man and a good lawyer, leave off trying to be a lawyer at all.

Mr. MITCHELL endeavored in his innermost soul to be a good lawyer and a good man, and he succeeded; as his broad, strong intellect strove for real things of life, it sought and found the things worth while in the problems of his profession. He dealt neither in trickery nor subterfuge, and lived and worked to defend right by the law and not to smother right with the law.

He would not have stooped to have offended justice and public rights by seeking the release of criminals by invoking the jury's sympathy for the criminal's wife and children.

But when widowed mothers and defenseless orphans were in trouble no day was too long or night too dark for him to find a way for their relief. No man ever consulted his pocketbook before he sought his advice or felt himself robbed after he had done so.

It was not strange, therefore, that much of this man's professional time was given for causes that brought him little or no remuneration. When it was determined a few years ago that the standard of the profession of law in the State should be raised and the examinations for admission to the bar taken control of by the supreme court, it was but natural that such a

man should be chosen as a member of the commission to conduct these examinations. He held the place with honor to the State and its great court until his election to Congress. So, frequently, came these calls for great public duties.

His legal services were sought in times of public strife by the governor, the State officers, and the legislature.

As chairman of the judiciary committee of the house of representatives for several terms, he gave honest and efficient service. His committee was neither a morgue for just measures nor a fanfare of trumpets for demagogues. It was a workshop where the people's laws were molded with jealous care and brought into light and measures of avarice and viciousness promptly and firmly strangled. His greatest single cases were, perhaps, the Perkins insurance case and the Kansas bankruptcy case. Each of these ran through the State and numerous Federal courts, and will be precedents of importance in future litigation in their respective branches of law. The latter case was conducted simultaneously with similar cases in Oklahoma and Nebraska, and was followed in the State courts and, in some form, in all the Federal courts, ending in the Supreme Court of the United States, where Mr. MITCHELL appeared only a few months before his death to assist in its argument. His services in the case, in maintaining the cause of the State, was invaluable and, as has been noted, was of far more than State importance.

This is not the time or place to speak in detail of his legal achievements. In the last weeks of his life he was brave and unselfish, as he has always been. He bore with greatest fortitude severest pain in silence or with the smile of his healthful days rather than give alarm to the members of his family and his friends.

A weaker man would never have come to Washington, but the same call to duty that had marked his entire life caused him to respond from a bed of pain to the call of the President, and with pallid cheek and unsteady step mount the steps of the National Capitol at Washington at the special session.

His mind was still clear and forceful. He entered into the spirit of all the contests over public questions with his old-time vigor and enthusiasm. But one day there came the words, "Oh, there is nothing worth while but health." Then came the hurried trip home and the end of a useful life.

And so, in sight of the great university which had taught him and which he had served as adviser and regent, and in view of the beautiful little city which sheltered his home and friends, we built the grassy mound and heaped it over with flowers from the hands of those who loved him. We left him in the swelling bosom of the great Kansas plain, bold and boundless as the ocean, like the spirit of him who had gone away.

He has lived successfully in the highest sense if those he leaves in this world, when in doubt and indecision over the affairs of life listen for his voice, and in the silence seem to hear it, and strive to do as he would have them do were he yet with them.

And in this sense the life spirit of our departed friend shall live upon this earth as the spirit which God gave, loved, and took away again lives in Paradise.

In the home circle, in the affairs of the community, city and State, his voice shall be heard, and all shall feel the influence of his guiding hand. And so, the good men do lives after them.

Mr. MARTIN of South Dakota. Mr. Speaker, the career of ALEXANDER MITCHELL in this legislative body was indeed a brief one. But it was long enough to impress upon his fellow Members the quality and character of the man. His seat was almost within an arm's reach of my own desk. He appeared in this House but a few brief days. I think that we were all impressed with his personality. We also were impressed with the conviction that the hand of death had already taken hold of what, when he appeared here, was a frail body.

From this brief observation of the man I feel absolutely certain of certain traits of his character. I am sure that he was a sincere man. I am certain he was possessed and controlled by a very deep sense of public duty. I am certain that such ambition as he may have possessed was an ambition to devote all of his inherited and developed powers in contributing to the public welfare. Mr. MITCHELL was a good example of what I shall call the "Kansas type of American citizenship." It is no fulsome praise of the able and distinguished sons of Kansas in both Houses of Congress at the present time to say that there is a Kansas type and quality of citizenship, and that for now more than half a century it has performed a most useful and important part in shaping and determining great national problems with which we as a people have had to contend.

The character and quality of that citizenship were determined more than half a century ago in the mighty struggles that were grouped about the settlement of the national problems leading

up to and culminating in the Civil War. Gladstone said of the American Constitution that it was the greatest instrument ever evolved from the intellect of man. And yet that great Constitution, which was a charter of human liberty, had placed in it, doubtless by virtue of the compromise of necessity, one provision absolutely out of harmony with all the balance of that immortal document.

I refer to the provisions which permitted the importation of slaves for a period of 20 years and recognized the right of the continuation of slavery in certain particular States indefinitely. In the very nature of the case those opposing principles must have developed as they did develop eventually—into a mortal combat. Kansas, a border State, if not the seat of the material phases of that struggle, was, in a sense which perhaps can not be said of any other State, the arena and forum in which there was the mighty battling of the ideas upon which that struggle turned and by which it was eventually solved. And so we are not surprised that Kansas citizenship is always earnest, aggressive, if not controversial. The Kansas spirit is sincere, militant, patriotic.

It is an interesting study which we as public men have forced upon us from time to time—to ascertain the different contributions from the different States of the Union to the composite character of American citizenship. We expect from New England conservatism, and we are rarely disappointed. From Kansas we expect a clear definition and an aggressive presentation of the two sides of every great national question. The middle of the road in Kansas is used for automobiles and for carrying to the market the bountiful harvests from her fertile fields. A public man in Kansas may be on the wrong side of a great public question and still retain his self-respect and the respect of his fellow citizens, but he must be on one side of the question. The middle of the road is not an arena for the solution of public questions in that young, virile, and vigorous Commonwealth.

We now have another period of the testing out of the fundamental questions of the American Constitution. This decade is trying again the justness and the correctness of the elemental principles upon which this Government rests, and in the loss of a representative Member of the State of Kansas a gap is created which will be felt not only by the Commonwealth of Kansas, but by the entire Nation.

We have had forced upon us recently again the perpetual lesson of the uncertainty of human life. One week ago to-night, plying its way from Great Britain to the port of New York, what was supposed to be the greatest triumph in maritime construction was under full speed. It was a scene of brilliancy, of festivity, and of quiet confidence in the complete mastery of modern invention over the perils of the sea; and yet within less than two hours 1,500 men lost their lives, their souls summoned into the presence of their Maker. Fifteen hundred men, the very flower of Anglo-Saxon civilization, perished. Their bodies were entombed in old ocean's gray and melancholy waste.

Within the year we have lost some of the most prominent Members of this House of Representatives. Gen. Bingham, "the father of the House," has but recently disappeared from our midst. David J. Foster, one of nature's noblemen, has gone, and, as one of his close friends, I can scarcely yet realize that he has gone forever. I find myself almost involuntarily expecting to meet his manly form and to greet his noble spirit here again on the floor.

Within the year we have lost Judge Madison, another of the noble sons of Kansas, a man who, for the period of his service, I believe, impressed himself and his strong individuality and convictions upon us as forcefully and with as enduring an effect as any man who has been a member of this body during my term of service. Almost in an instant he passed from his home here to the home beyond.

Mr. MITCHELL had scarcely become familiar to us, his co-Members, when for him the golden bowl was broken, the silver cord was loosed, and he, another traveler, went on to his long home—

That bourne from which no traveler returns.

Seeing what I did of his personality in the few brief days of his service, I am not surprised, but much gratified, to hear the account of his manly passing on to the Eternal Beyond that has been given to us by members of his home delegation. Knowing that the summons was upon him, facing the realities of the great and unlimited future, he indeed went—

Not like the quarry-slave at night,
Scourged to his dungeon, but sustained and soothed
By an unfaltering trust—

He approached his grave—

Like one that wraps the drapery of his couch
About him, and lies down to pleasant dreams.

Mr. TAGGART. Mr. Speaker, I confess the difficulty of the task of undertaking to pronounce a eulogy upon the life and character of my predecessor, ALEXANDER CLARK MITCHELL, whose untimely death made it possible for me to render the lesser and humbler service that I may be able to give to the people of his district.

I was not well or intimately acquainted with him; we met but a few times. But, perhaps, we can have a more just estimate of a man if we are not on terms of intimacy with him. The common rumor, the opinion of others who knew him, his reputation in the city and the State in which he lived, his public service and the well-known facts of his life, afford, perhaps, a basis for a more accurate judgment of the real value of the man. Our admiration or affection for a man might warp our judgment, or perhaps on account of that indefinable and subtle weakness in human character whereby our likes and dislikes arise out of trivial matters, it may be if we were intimately acquainted with one that our estimate of him might be unjust on account of the very intimacy of the acquaintance. Therefore I can say that I am free to mention here the estimate of the people of the second district of Kansas of the services and the character of ALEXANDER CLARK MITCHELL. It has been mentioned here that he began life as a mechanic. Do we realize that the future ages will estimate the first and perhaps the second and possibly the third century of the life of this Republic not so much by what was said or written or sung as by the work of the hands of the American citizen?

Surely the early centuries and generations of our country will live in history as the age of mechanical genius, and their fame will finally rest on the marvelous achievements of the mechanic. It was therefore fitting and proper that the young man should have developed his intelligence by coming in touch with the greatest of all American enterprises. Having come to Kansas in 1867, when he was but a child, and having had the privilege and advantage of growing up upon a Kansas farm surrounded by neighbors who were sturdy, honest, earnest, and filled with hope for the future, he grew up, as other Kansas boys grew, conscious of his strength and eager for the battle of life. He went back to Cincinnati, where he was born, and learned his trade, and then returned to Kansas and began work in the machine shops in Topeka. Then realizing that he had capacity for the acquirement of great learning, and having been urged by his friends, he took the law course in the Kansas University and graduated, in 1889, with honor and distinction. You will notice that he was not an early graduate, that he was then 29 years of age, that he had waited until his mind had matured and until he was fully able to grasp the real purpose and meaning of the law. He had passed beyond that enthusiastic age of the young law student wherein he thinks that the triumph of the court room or before the jury is the final and greatest achievement of the lawyer.

ALEXANDER CLARK MITCHELL was a success as a lawyer. He was born of a people who were formed for success. No well-informed person can read the name ALEXANDER MITCHELL without knowing at once that it originated in one of the least favored naturally of all the countries of the world, but one of the most distinguished spots beneath all the stars—the old Kingdom of Scotland. He was descended, evidently, of that virile, purposeful, and masterful race of people who have left their mark and their monuments throughout the English-speaking world. He came of a Scotch family that had emigrated to Ireland and later came to the United States. He represented a citizenship somewhat different from either one of the two original civilizations that were founded on this shore. We have the New England civilization and that other civilization that was founded at the mouth of the James River. The northern civilization was committed to the great purpose of promoting intelligence. It worshiped books as if they were idols, relying upon the diffusion of general knowledge for the welfare of the Nation; and, above all things, it cherished the pride and strength of conscious intellectual supremacy. The other civilization was founded on the beautiful ideals of medieval chivalry, the exaltation of honor above all earthly treasure, and the glory of courage and of achievements in arms.

Each of these two civilizations was wedded to the past, the one at the North going back to those thoughts that culminated in the expression so wonderfully wrought out by Milton; the other drawing its inspiration from the traditions of Anglo-Saxon pride and glory.

Separate and apart from these has come the western citizenship, that has unconsciously adopted the philosophy of Epictetus, who taught that—

With respect to those things over which we have no power let us have no concern whatsoever nor trouble our minds therewith; but let us address ourselves to those things over which we have power, and with those matters let us with all our might perform our daily task.

The western people have disregarded the prejudices and the hatreds of the past and have turned their faces toward the future. There are few monuments on the plains of Kansas or the western prairie erected to celebrate the past; but nearly all that greets the eye was built to provide for the necessities and the welfare of the future.

ALEXANDER CLARK MITCHELL was one of those who grasped fully that western philosophy. He was not wedded to the past. He acted in the living present. He hoped for the future. His whole career is proof that it is of value to the individual and to society to toil up from the bottom to the top, from the lowest round of the ladder to the highest. No one ever boasted of having ridden in a comfortable seat in a railway car to the top of Pike's Peak, but whoever has toiled up those nine miles of inclined plane and finally stood upon its summit never ceased to remember it.

There is no achievement in being lifted; the real achievement is climbing. ALEXANDER MITCHELL's life was devoted to the present and the future, not to realize unwarranted ambitions for, as a Member said, he was not one who was cursed with unwarrantable ambitions. He was one whose life and whose character was so fortunate that those about him who realized his worth took notice of it and urged him forward among the people as a man who could be trusted by them. He served in many capacities, as it was said here. He was a county attorney, and that office is a difficult one in the State in which he lived. He was a member of the board of regents of the State University, an office the services of which are gratuitously given, but which is an honor in itself, and which manifested his desire to promote the greatest institution in the State. He served in the legislature.

He took part in framing some of the wisest and some of the best laws on the statute books of Kansas, and I believe that among his greatest public services was the part he took in establishing firmly the bank guaranty law of that State. Perhaps he was deeply impressed by those who lost their money in banks that had failed. Possibly he saw the sufferings and the calamities that had come to the poor in times past, when the savings of a lifetime were swept away in a night; and he devoted his talents most earnestly in support of a law that would make it sure that whoever deposited his money would not only have the good faith of the bank in which he placed it, but the united strength of all of the banks that were associated together under the law for mutual protection. If he had done no other public service, this alone would have entitled him to a lasting place in the history of Kansas. We are told that the greatest characteristic of his life was his just estimate of public service. The time has passed when a man in public life can regard himself simply as one who is enjoying an honor.

The intelligent public now requires that he must conduct himself as one who is performing a service. He will not be permitted to claim any excellence on account of the honor he has enjoyed, but he must rest his claim for public esteem upon the service that he has rendered. ALEXANDER CLARK MITCHELL regarded public office as a service and the incumbent of a public office as a public servant whose duty it was to render an account of his stewardship.

And in that light he discharged every public duty that was thrust upon him. In this spirit he performed his duty as county attorney; he performed his duty as a member of the State Legislature of Kansas; he performed his duty as a member of the board of regents of the university, in each and every case not only to the public satisfaction, but with that active and energetic interest in the matter in hand which transcends the mere requirements of statute or custom.

He came to this House, as has been said, with the shadow of death upon him. He was afflicted with a cancer in his stomach. That is perhaps the most dreaded and terrible malady that can afflict the human race. Believing that he might have some hope of recovery from a surgical operation he went as far as Kansas City, Mo., and on the 30th day of April submitted to the surgeon's knife. Having discovered that his stomach was in the grip of a cancer the surgeon was obliged to close the incision and inform him that he was without hope of recovery.

Something was said here of that beautiful essay on "Compensation," written by Emerson, perhaps the finest effort of that gentle and pure-minded philosopher. But can we reason that nature will compensate us? Is nature all we have? Is not nature rather the puzzle and the task that is set before men, that they might unravel her mysteries, that they might conquer her forces, and that they might develop their intelligence by avoiding the wrath and the destruction of her elements? Nature has no respect for persons. She has no refuge for innocence. She has no regard for pain. In her mysterious

processes she reckons not of death or suffering, but performs the mandates of an irresistible power, even though all that was dear and all that was beloved met with destruction.

Men have said that nature has taught another life; that the coming and going of the flowers are a prophecy of resurrection; that nature is an open book, out of which the mystery of the future might be read, and that our final destiny can be ascertained by consulting the panorama that she spreads before us in this earthly life. I can not understand that philosophy. Some one wrote asking the question—

Is it true, O God in Heaven, that the strongest suffer most;
That the wisest wander farthest and most hopelessly are lost?
That the mark of rank in nature is capacity for pain;
That the anguish of the singer makes the sweetness of the strain?

When we think it over it seems as though we must answer, "It is true." The hope of immortality was not bred by flowers or foliage. I would imagine rather that in the utter desolation of some desert, where there was nothing but sand and sky, men held up their hands and said, "Where shall we retreat? How shall we escape from this solitude?" And it was in those solitudes and wildernesses that the message came which has comforted mankind in this life.

No; I would not say that the coming and going of the seasons or the lesson of the leaves or the flowers can teach that there is another life. If there is anything in this earthly scene or in this experience outside of revelation that would teach the mighty mystery of immortality, it would seem to be the love that exists among mortals.

This was one of the early thoughts of men. Perhaps 30 centuries ago it was written—and it is one of the most beautiful stories that was ever told—that a certain young king was about to be sacrificed to appease the wrath of the gods. She, who loved him, came and asked him if they should ever meet again, and answering, he said:

I have asked that dreadful question of the hills that look eternal,
Of the flowing streams that lucid flow forever,
Of the stars, amid whose field of azure,
My raised spirit hath trod in glory, and they all were dumb,
But, now, as I thus gaze upon thy living face,
I feel that the love that kindles through its beauty
Can never wholly perish, and we shall meet again.

The pure and unselfish devotion, given without thought of reward or recompense, argues the final working out of justice, and would seem to be the most convincing earthly proof of immortality.

Mr. MITCHELL, when about to go under the surgeon's knife, and that very evening before he submitted to the dreadful ordeal, sent a message of sympathy to an attorney who lives in my city, whose son had been killed on that day by accident, it being the second child that he had lost within a year or two, and even though Mr. MITCHELL might reasonably expect that he would never revive, he did not forget his brother attorney who was suffering the agony of bereavement at that hour. He was taken to his home in Lawrence.

The hot summer came and yet it was stated in the local papers, several friends have said, that he faced the end with the undaunted fortitude and the unwavering purpose of that heroic race from which he was descended. Day by day, conscious that death was approaching, suffering from the incision that was healing slowly, the martyr waited patiently, and through it all he comforted himself that this life may not bring us justice, but if there is a future life that is not nature's work, but transcends nature, in that life we will have exact justice. He was a man who loved justice and who wished everyone to succeed. He wished everyone to have hope. I do not believe he ever said a word in his life or did an act that would destroy the hope of a human mortal, and it was with a sublime hope he was sustained until the end. He gave up his life in the very midst of a great career, just when he was passing the half century mark, when his mind and his faculties had ripened, when his public services would have been of the greatest value, yet he surrendered it all as calmly as if it were a mere matter of duty. And thus ended the life of ALEXANDER MITCHELL. No one will ever read or know of his life, his character, or his work who will not profit by having studied it, and no young man who has a noble ambition can fail to profit by his example.

The SPEAKER pro tempore. In accordance with the resolution previously adopted, and as a further mark of respect to the memory of the late ALEXANDER C. MITCHELL, the House will now stand adjourned.

Accordingly (at 1 o'clock and 55 minutes p. m.) the House adjourned to meet to-morrow, Monday, April 22, 1912, at 12 o'clock noon.